

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

RLI INSURANCE COMPANY

: Civil Action No. **1:14cv802**

Plaintiff

:
:

vs.

FIFTH THIRD BANCORP

Defendant

:
:

FIFTH THIRD BANCORP, an Ohio Corporation, and FIFTH THIRD BANK, an Ohio Banking Corporation

: Civil Action No. **1:14cv869**

Plaintiff

:
:

vs.

CERTAIN UNDERWRITERS AT LLOYD'S SUBSCRIBING TO POLICY B0509QA048710, B0509QA051310, 81906760, et al.

:
:

Defendants

:
:

FIFTH THIRD'S MOTION FOR ADDITIONAL TIME TO RESPOND TO DEFENDANTS CERTAIN UNDERWRITERS AT LLOYD'S SUBSCRIBING TO POLICY NUMBERS B0509QA048710 AND B0509QA051310, AXIS INSURANCE COMPANY AND FEDERAL INSURANCE COMPANY'S MOTION FOR PROTECTIVE ORDER OR IN THE ALTERNATIVE TO STAY DISCOVERY AND BIFURCATE PLAINTIFFS' "BAD FAITH CLAIM"

Now comes Fifth Third Bank and hereby requests until April 11, 2016 in which to respond to Underwriters' Motion for a Protective Order or in the Alternative to Stay Discovery

and Bifurcate plaintiff's "Bad Faith Claim". This motion is unopposed by counsel for the Underwriters.

RESPECTFULLY SUBMITTED,

/S/ Mark J. Byrne

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MEMORANDUM

Previously this Court granted Fifth Third until April 8, 2016 in which to respond to the Underwriters' motion. On April 8, 2016, counsel for Fifth Third was required to attend to an unexpected health matter for his daughter. Counsel requests until Monday, April 11, 2016 in

which to file a response. This request is not for purposes of delay. As previously indicated, Underwriters do not oppose this one day extension. This will not delay a decision on the issues as RLI has filed a similar motion and the response for that motion is not due until Monday, April 11, 2016.

RESPECTFULLY SUBMITTED,

/S/ Mark J. Byrne

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CERTIFICATE OF SERVICE

I hereby certify that on April 11, 2016, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System, which will send notification of such filing to the following:

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